IN THE HIGH COURT OF UTTARANCHAL
AT NAINITAL

Second Appeal No. 520 of 2001
(Old No. 567 of 1994)

Bachan Singh S/o Late Sri Pat Singh
R/o Village Pauri Patti Nadlasyu
District Pauri Garhwal ... Appellant

Vs

1. Shiv Prasad
2. Mohan Lal
3. Kailash Chand
4. K.P. Dobhal
   All S/o Late Sri Tota Ram Dobhal
   R/o Vikas Marg
   Bus Station – Pauri ... Respondents

Sri V.K. Bisht, learned Senior Advocate appearing on behalf of the appellant
Sri Rajendra Dobhal, learned counsel for the respondents.

Hon'ble B.C. Kandpal, J.

This second appeal has been filed by the plaintiff/appellant against the judgment and order dated 09.03.1994 passed by Civil Judge, Pauri whereby Civil Judge setting aside the judgment and decree dated 25.05.1993 passed by Munsif, Pauri in Original Suit No. 15 of 1990.

2. Heard Sri V.K. Bisht, learned Senior Advocate appearing on behalf of the appellant, Sri Rajendra Dobhal, learned counsel for the respondents and perused the record.

3. The judgment and order passed by the lower appellant court shows that the court below has discussed all the factual aspects and the evidence relating to the relevant facts involved in this case. The factual aspect is not to be interfered with in the second appeal. I also do not find any substantial question of law in the instant case.

4. The second appeal lacks merit and is liable to be dismissed.

5. Accordingly, the second appeal is dismissed in-limine.

(B.C. Kandpal, J.)

13.09.2006
ASWAL